

Atty. Dkt. No. K01-002
(formerly 0003.US00)

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 26, 27, 40 and 41 are requested to be canceled.

Claims 1, 5, 10, 13, 20, 21, 24, 25, 30 and 31 are currently being amended.

Claims 44-48 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-25, 28-39 and 42-48 are now pending in this application.

The amendments to the claims in this reply are made to correct obvious typographical errors and to more clearly the present invention. No new matter has been added and, as will be clear from the below discussion, no claim has been amended in response to a prior-art rejection or for any reason related to patentability.

Claims 1, 4-19 and 40-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over igive.com. Further, claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over igive.com in view of David King, "SOLICITING VIRTUAL MONEY," Library Journal (hereinafter "King"). As to canceled claims 40 and 41, the rejection is moot. Applicant respectfully traverses the rejection of claims 1-19 and 42 for at least the following reasons.

The present invention relates to systems and methods for soliciting charitable donations from online shoppers involved in electronic commerce. Embodiments of the invention

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encourage and motivate a shopper to make a donation. For example, in one embodiment, during an e-commerce transaction, the online shopper is provided with a suggestion on the amount of donation. The amount suggested may be, for example, dependent on the amount of the purchase made by the online shopper in the e-commerce transaction. Thus, rather than merely allocating a part of the purchase as a donation in a passive manner, the embodiments of the invention provide for the online shopper to become actively involved, thereby encouraging and motivating the online shopper to make a donation. Accordingly, independent claim 1 recites "providing one or more suggestions on the amount of donation."

Igive.com fails to teach or suggest at least this feature of the claimed invention. Igive.com discloses a web enterprise in which a portion of the money spent by a shopper on goods is allocated as a donation to charity. Once the shopper completes his/her shopping, the web enterprise allocates a portion of the purchase as a donation to the charity. The portion is determined solely by the web enterprise as a percentage of the purchase total. The shopper is not given the opportunity to determine the amount allocated as a donation. Accordingly, igive.com does not provide the shopper with any suggestion on the amount of donation.

The Office Action cites page #2 of igive.com as disclosing suggestions intended to encourage and motivate a shopper to make a donation. However, page #2 of igive.com merely indicates that up to 12% of the purchases are donated to a charity. Further, the totals raised by the web enterprise are provided. None of those values constitutes a suggestion of a donation amount. To the contrary, the amount of the donation is determined solely by the web enterprise.

Since the cited references fail to teach or suggest at least "providing one or more suggestions on the amount of donation," independent claim 1 is patentable. Claims 2-19 and 42 depend, either directly or indirectly, from allowable claim 1 and are, therefore, patentable for at least that reason, as well as additional patentable features when those claims are considered as a whole.

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Claims 20, 24-39 and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over igive.com in view of U.S. Patent Publication No. 2001/0007099 by Rau et al. (hereinafter "Rau"). Further, claims 22 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of igive.com and Rau in further view of King. Applicant respectfully traverses these rejections for at least the following reasons.

As described above, embodiments of the invention encourage and motivate a shopper to make a donation. In certain embodiments, during an e-commerce transaction, the online shopper is provided with certain information intended to encourage and motivate shoppers to make a donation. The invention provides an intelligent, knowledge-based way of soliciting a charitable donation by providing information which tends to influence an online shopper to make a charitable donation. For example, the information may include more than merely the name of a charity and may include specific types of information intended to encourage and motivate shoppers to make a charitable donation, such as the number of donors that have donated, profiles of one or more donors, reviews written by prior donors about the charity or an average amount of donation. In a further example, as described in paragraph [0055], the information provided to the online shopper may be based on the donation history of the shopper and may include a charity based on that history. Accordingly, claim 20 has been amended to more clearly recite that the information provided to the online shopper is "intended to intelligently encourage and motivate shoppers to make a charitable donation."

The cited references fail to teach or suggest at least this feature of claim 20. The Office Action cites page #5 of igive.com as disclosing information intended to encourage and motivate shoppers to make a charitable donation. However, igive.com merely discloses the name of the charity, its location and a brief description of the charity. Such information merely makes online shoppers aware of the existence of the charity. Igive.com fails to teach or suggest providing any information which is intended to encourage and motivate a shopper to make a donation. There is no disclosure in igive.com of an intelligent component. The information is neither selected nor designed to intelligently encourage or motivate shoppers.

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Rau also fails to teach or suggest at least this feature. Rau is directed to a method and apparatus for creating and managing an electronic shopping cart. Rau does not address the specific problems associated with fundraising or soliciting donations. Accordingly, Rau does not offer any solutions to such problems and neither teaches nor suggests the features of the claimed invention.

Accordingly, claim 20 is patentable. Claims 21-25, 28-39 and 43 depend, either directly or indirectly, from allowable claim 20 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

New claims 44-48 have been added. Support for claims 44-48 is found in the original specification and claims. No new matter has been added. Claims 44 and 45 depend directly from allowable claim 20 and are patentable for at least that reason. Independent claims 46-48 recite the invention from additional perspectives. Claims 46 and 47 are patentable for the reasons discussed above with respect to claims 1 and 20, respectively. New claim 48 is patentable for at least the following reason.

In one embodiment, as described in paragraph [0027] of the present application, the geographic location of the on-line shopper is identified, and the shopper is presented with information about one or more charities involved in that location. Thus, as recited in claim 48, an online shopper may be provided with "information regarding one or more charities ... based on the step of determining the geographical location of the online shopper."

The Office Action cites page #5 of igive.com as providing information about charitable activities that the charity is involved in the donor's location. Applicant respectfully disagrees with this interpretation of the disclosure of igive.com. Igive.com merely provides a web page with a list of charities in various locations across the country. It is only by coincidence that the location of an online shopper may correlate to the location of one or more of the charities listed on the web page. The list of charities presented to the shopper is a static list and is not altered based on any determination of the location of the shopper.

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Accordingly, claim 48 is patentable.

Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-1674. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1674. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-1674.

Respectfully submitted,

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